AFFIDAVIT OF HABIYBAH WASHINGTON

STATE OF GEORGIA)
)SS.:
COUNTY OF DEKALB)

HABIYBAH WASHINGTON, duly sworn, deposes and says:

1. I am 28 years of age and reside in Brooklyn, New York. I make this affidavit of my own free will. No one has threatened or coerced me to make it. Nor have I been offered anything of value in return for making this affidavit. I understand that in light of my previous testimony and my statements to Federal agents and an Assistant U. S. Attorney, I can be prosecuted for perjury and other crimes. In spite of the risk I am putting myself in, I am prepared to make this affidavit in order to make up for my previous perjury.

2. In May 2001, I had a conversation with Jacob York at his house. Also present were Nuh and Rashid. Jacob told me that I should go to the FBI with a story because there were rumors going around that some people were speaking to the FBI, that the FBI had my name, and that they knew that I was in charge of the land for some period of time. He said that there were rumors that some children were telling the FBI that they had been molested and that the kids mentioned my name and said that I knew about what was going on. He told me to go to the FBI first and that I should not wait for the FBI to come to me and ask me about it. I told him that I did not want to talk to the FBI and that I did not have any reason to talk to them. I told Jacob that I did not having any knowledge that anything wrong was going on. Jacob said that he wanted his father to go

to jail, that his father did not deserve to live, and that we could go to the land and kidnap all the little kids there so that nothing happens to them. I told Jacob that nothing was happening to the kids and nothing would happen to them. Jacob asked me to think about it, and the conversation ended.

3. On the way back from Florida, I had another conversation with Jacob. Farrah, Nicole Lopez, Karima, and Rashid were also in the car. Jacob again proposed that we go to the land to kidnap our little sisters and brothers. He again told me that I should go to the FBI and not wait for them to come to me with whatever they had on me because if I did not they could come after me. He said that whatever anyone said against me they could use against me. I believed him when he said that other people had gone to the FBI. He did not want to give me names. Nicole and I were listening. I told him that I did not want to tell a story against his father even though I was angry with Malachi. I told him that things were not good between Malachi and me and that we were just arguing all the time. Jacob said that he heard that Pops had sex with Issa and Eddie and he wanted me to confirm that. I told him that I never saw him have sex with any of these boys. He asked me over and over again, and I told him that I did not know anything about it and that he should talk to whoever it was who was telling him these things. I kept on telling him that I did not know anything. Nicole and Karima were saying why they were angry with Malachi. Jacob said that he was living for the day when he would see his father in jail. I asked him why he was so angry with his father. He told me that he thought his father had mistreated his mother and had a lot to do with her death. He said that his father was a coward and that he really did not believe that he should be living.

4. After we got back from Florida, we stayed at Jacob's house. The next day, Jacobs showed me a documentary about cults, Charles Manson, David Koresh, Jim Jones and a guy in California. I think his name was Marshall Applegate. He asked me to compare all of these stories with the way we grew up. He said that his father had grown up in the same way that these guys had, that they had the same mentality, that we were a cult. The thought had never occurred to me before. I had mixed reactions. I told him that some of the comparisons with those groups made sense but that I still did not believe that we grew up in a cult. He said that I just didn't know that we grew up in a cult because we were living in it.

5. I tried to contact my sister, Islah, who was still living on the land. I felt that I was getting the runaround from people on the land and at Athens. I told the lady whom I believed was giving me the runaround that if I couldn't talk to my sister matters were going to get worse. I was very angry. I told Jacob about what had happened on the phone, and he said you see this is what we are dealing with. This is the reason why we have to put and end to this, you should just be able to go up to the land and take your sister. He brought up the kidnapping thing again, and I told him that I didn't want to kidnap her and that if she wanted to leave she should just leave on her own.
We started talking about living upstate, and he asked me when I started having sex with his father. I told him that it was when I was 17. He said that he didn't believe me and that it would help me if I said that I was thirteen when we first started having sex.

6. I finally talked to my sister. She told me that my father had been kicked out and was living on the streets. I was very angry with Malachi because of this, and I vented to Jacob. He told me that if I wanted to speak to the Sheriff I could. I told him

that I would talk to the FBI. He called the Sheriff and made arrangements. The next day Jacob and I went to the FBI Office.

7. They interviewed Jacob first, and I stayed in the car. Then about an hour later they called me up and interviewed me. I told him that I had sex with Malachi when I was thirteen. That was false. I had about four or five more interviews, possibly more. During this time, I was comparing notes with Amala and Nicole Lopez, Nicole Harding, Krystal, Sakina Parham, Eddie, and Alicha Chester. We stayed in touch by telephone and we told each other what had happened in each of our interviews. For example, the FBI asked me if I remembered that there was a naked picture taken of Amala. I told them that I didn't remember. But then I spoke to Amala and she told me that she had told them that. So the next time I met with the FBI, I told them that I remembered.

8. In my initial interview, I told the FBI that for a period I had run the finances. They asked me how we kept our money and if we paid taxes. I explained to them everything about the finances. The first time structuring came up was when I interviewed in 2003 by IRS agents. I believe it was September or November of 2003. After the interview I called Jalaine, and FBI agent, and told her that I didn't understand the interview, that I didn't understand the purpose. I then had another interview with the IRS agents and Richard Moultrie. They asked if Malachi had ever told me not to sign reports. I told them No. One of them told me that Nicole Harden had told them that he told her not to sign them. I told them that not to say Malachi was an angel, but that Nicole said that to cover her ass because she's the one who actually gave the bank tellers a hard time. They said that it was a possibility that Malachi could have said it to her, but that as far as I knew he had never said it to me. They asked if we broke down deposits so

that we didn't deposit more than ten thousand dollars. I told them, yes. They asked how I knew to do that. I told them that Haroline Herbert had explained to me how to do the finances. I do not remember if they asked me if Malachi knew about it.

9. Malachi has never done the deposits with us. I do not know if he knew that we were breaking down the deposits. He never told me or, to my knowledge, anyone else not to deposit more than $10,000 at a time.

10. During the interviews, the agents told me that I was doing the right thing, stay strong. They also reminded me that I could be incriminated on a lot of the charges myself, that I was doing this for the children, and that I was a victim myself. They said that the children needed me for this case, that I was the main witness.

11. I was never molested by Malachi York. I first had sex with him when I was seventeen years old and I did it voluntarily. He never forced me to have sex. I do not know of anyone he has ever molested. I do not know of any children he has ever had sex with. I never took any children to him for the purpose of sex. I did take children to his house to watch movies in his movie theaters and to play. He would have picnics with his children so he could spend time with him. I do not know if he has ever been involved in structuring of deposits or if he ever knew that we were doing it.

12. My lawyer and Jonathan Marks, Malachi York's lawyer, have explained to me that I am putting myself at risk by signing this affidavit. I know that, but I want the truth to come out. I do not believe that Malachi York should be in prison for crimes he did not commit.

HABIYBAH WASHINGTON

Sworn to before me
April 23, 2004

NOTARY PUBLIC

DWIGHT JOHNSON
COMM. EXP.
NOTARY
PUBLIC
02-07-2008
DEKALB COUNTY, GA